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SEP 28 2006

CYTH.002DV3

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Fraser, J. et al.
Appl. No. : 10/614,644
Filed : July 7, 2003
For : SYSTEMS AND METHODS FOR
TREATING PATIENTS WITH
PROCESSED LIPOASPIRATE
CELLS
Examiner : Lankford Jr., Leon B
Group Art Unit : 1651

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September 28, 2006

(Date)

Eric S. Furman, Ph.D., Reg. No. 45,664

INTERVIEW SUMMARY**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Dear Sir:

The attached interview summary reflects the substance of the personal interview held
between Examiner Lankford and the undersigned on September 13, 2006.

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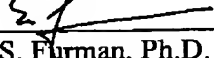
SUMMARY OF INTERVIEW

Applicants wish to thank Examiner Lankford for the courtesy extended during the personal interview held on September 13, 2006 and the helpful comments made therein. During the interview between the undersigned and Examiner Lankford, the indefiniteness rejections under 35 U.S.C. § 112, second paragraph, and the non-statutory subject matter rejection under 35 U.S.C. § 101 raised in the Office Action mailed March 29, 2006 were discussed. The undersigned and Examiner Lankford agreed that a claim directed to a self-contained adipose stem cell processing unit, comprising: a tissue collection container that is configured to receive adipose tissue that is removed from a patient, wherein said tissue collection chamber is defined by a closed system; a first filter that is disposed within said tissue collection container, which is configured to retain adipose tissue and pass lipid, blood, and saline; a mixing container joined to said tissue collection container, which comprises a port for the addition of an agent, wherein said mixing container is within said closed system; a cell collection container positioned between said tissue collection container and said mixing container, which is configured to receive and concentrate a population of cells that comprise adipose stem cells from said tissue collection container before being passed to said mixing container, wherein said cell collection container is within said closed system; and an outlet configured to allow the aseptic removal of said concentrated population of cells that comprise adipose stem cells, would likely overcome the rejections set forth in the Office Action dated March 29, 2006.

Respectfully submitted,

KNOBBE, MARTENS, OLSON & BEAR, LLP

Dated: September 28, 2006

By: 
Eric S. Furman, Ph.D.
Registration No. 45,664
Attorney of Record
Customer No. 20,995
(619) 235-8550

2967339-092606

Docket No.: CYTH.002DV3

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AMENDMENT / RESPONSE TRANSMITTAL

Applicant : Fraser et al.
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Eric S. Furman, Ph.D., Reg. No. 45,664**Mail Stop Amendment**

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

Sir:

Transmitted herewith for filing in the above-identified application are the following enclosures:

(X) Amendment and Response to Office Action in seven (7) pages.

(X) Interview Summary in two (2) pages

The fee has been calculated as shown below:

FEE CALCULATION				
FEE TYPE		FEE CODE	CALCULATION	TOTAL
Excess Claims	27 - 72 = 0	1202 (\$50)	0 x 50 =	\$0
Excess Independent	1 - 3 = 0	1201 (\$200)	0 x 200 =	\$0
			TOTAL FEE DUE	\$0

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Please charge any additional fees, including any fees for additional extension of time, or credit overpayment to Deposit Account No. 11-1410.



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